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Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**John E. McAlvin, Daniel A. Oakley,
Paul Taylor Hutson, David J. Zwissler &
Thomas J. Folda**

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)
) Examiner: **Nathan M. Nutter**
)
)
) Art Unit: **1711**
)

Serial No. **10/789,245**

Filed: **February 27, 2004**

For: **STYRENE-FREE UNSATURATED
POLYESTER RESIN COMPOSITIONS
FOR COATING APPLICATIONS**

RESPONSE

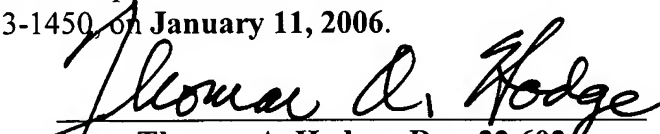
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is filed with reference to the Office Action mailed December 15, 2005.

On page 2 of the Office Action, the Examiner states that the present application contains claims directed to certain patentably distinct species. The Examiner further states as follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 11, 2006.


Thomas A. Hodge - Reg. 22,602

"Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-20 and 25 are generic."

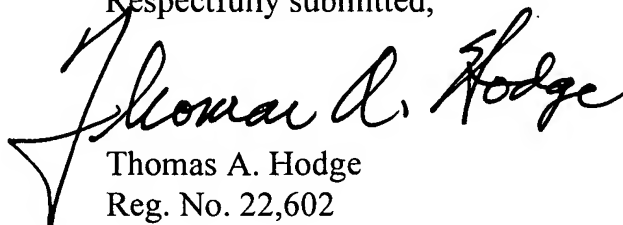
In the first instance, applicant traverses this election of species requirement, as the present invention is directed to a styrene-free, unsaturated polyester resin composition, and not to a specific curing agent.

However, as required by the Office Action, applicant elects the species identified in the Office Action as No. 1 --- a free-radical initiator---

Applicant submits that Claims 1-21 and 25 are generic to the elected species.

With this Response, applicant requests that this application be examined on the merits.

Respectfully submitted,



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Reg. No. 22,602

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